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Before the Federal Communications Commission
Washington DC 20554

Re: RM-9208, Low Power FM Radio Broadcasting

COMMENTS OF BRUCE F ELVING PH D

FM Atlas/FMedia! newsletter publisher

April 24, 1998

Licensee of FM Translator Station W280CT 103.9 Hermantown MN

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Comes Bruce F. Elving, an FM translator licensee, who believes there is a need for a low power FM service and/or more freedom for FM translators to serve their communities. Here are my proposals:

1) License a Class A1 FM service, with technical parameters of the old pre-1961 Class As—namely 1000 watts maximum ERP at 91 meters, at spacings that were specified for the old Class As, channel to channel and adjacent channel, but with no regard to alternate channels or third adjacent channels spacings. FM receivers are more selective than their counterparts of 20 years ago. Require individuals to live within 80 km of the city of license or of the transmitter locations. Stations can be commercial if on a 92.1 to 107.9 mhz channel. Noncommercial stations would generally be found from 87.9 to 91.9 mhz, and again, the owning institution should be located within the 80 km vicinity of the station's studio or transmitter.

2) Broaden FM translator rules to provide for local input and programming, keeping their technical parameters as they are. Define an FM translator as one that relays primary signals of terrestrially received stations at least 12 hours daily from 6 a.m. to 12 midnight (except Saturdays and Sundays). Overnight and weekend relaying or program origination would not change the definition of a translator. Allow one-fourth of the 12 hours, or a maximum of 3 hours (between 6 a.m. to midnight Monday through Fridays), for relaying another terrestrially-received FM station or stations. Allow up to six hours during the 6 a.m. to midnight period for local program origination. These rules would apply to either commercial or noncommercial translators. Show preference to translators that are locally owned (within 80 km of the translator tower or its studio), especially as licenses are renewed or in comparative situations. Give translators pre-emption from being usurped by other types of stations.

3) Allow low power FM stations, such as the Class A1s, mentioned in (1), to relay terrestrially received FM stations, much like a translator, up to 6 hours a day, 6 a.m. to 12 midnight, Monday through Friday, and an unlimited amount of time overnight and weekends. Licensees would be free to change from primary translator to primary low power FM (Class A1) operation at will, provided they meet the Commission's technical parameters and that they promptly notify the Commission of such a change.

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4) Require minimum operating hours for Class A1, FM translator broadcasting and for any lower class of stations,

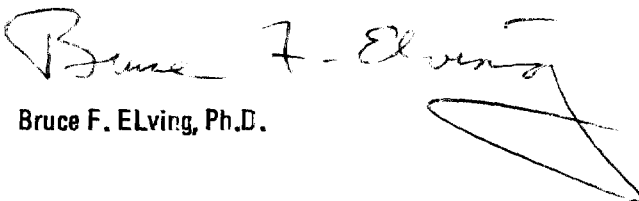
such as others have proposed for neighborhood broadcasting and for small towns. Stations not licensed as A1 or translators could come on as "microbroadcasters" subject to their not interfering with other stations. They must accept interference from other broadcast sources.

5) Allow for events broadcasting at ERPs up to 50 watts.

Narrative: As licensee of W280CT 103.9 Hermantown MN I have been frustrated by the Commission's rules. I wanted to better serve the community than the rules allowed. Those rules forbade collecting revenue from the primary station and in allowing for only 30 seconds of fund-raising in an hour. Rather than try to change the rules, which seemed futile at the time, I went through the process of having a Class A commercial FM channel (221A) allocated to Hermantown. One other applicant and I applied for this channel during the filing window. I was bought out in an FCC-sanctioned settlement agreement. Now WWAX 92.1 is on the air, licensed Hermantown MN. I feel, however, rather than cluttering the dial with another commercial FM station, now part of a duopoly with KZIO 104.3 Two Harbors MN, it would have been better for my W280CT to have been allowed to develop.

This proceeding by the Commission is a breath of fresh air. It could well bring diversity in broadcasting by allowing long-time FM translator licensees like myself and others who are not large group owners of stations to create truly local, service-oriented stations. We know our communities and are poised to help bring good service to areas that the big broadcasters tend to ignore. Whether commercial or noncommercial, good radio is local radio, and this proceeding will do much to help make radio a local medium.

Respectfully submitted,


Bruce F. Elving, Ph.D.